

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MARCEL WISZNIA and WALTER WISZNIA,
d/b/a WISZNIA ASSOCIATES,

Plaintiffs,

vs.

Civ. No. 00-1184 LH/WWD

THE CITY OF ALBUQUERQUE, a municipal
corporation,

Defendant.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Plaintiffs' Unopposed Motion to Extend Case Management Deadlines filed September 10, 2001. Plaintiffs' counsel has sought such an order before and I vacated the submitted "Stipulated" order when I noted that, after entering it, it contained the following sentence, to wit:

The package shall be filed with the Court by January March 1, 2001.

When I vacated the previous order, I included the following language in my vacating order, to wit:

Should counsel for the parties be able to draft and submit an unopposed motion and an accompanying order which is approved and need not be 'Stipulated', it will be considered.

I have now been given an Order to Extend Case Management Deadlines which contains the following language, to wit:

The parties will file with the Court no later than February 1, 2001.

From context, I might infer that the reference to filing has to do with packets on discovery motions. On the other hand, that inference could be wrong. Obviously, February 1, 2001, has, apparently unbeknownst to counsel, passed.

Even though an order was submitted in accordance with our local rules, I will draft the order so as to avoid the continuing ineptitude of Plaintiffs' counsel.

Pretrial practice in this cause shall be in accordance with the following schedule, to wit:

1. Discovery shall end NOVEMBER 30, 2001.
2. Discovery motion packages shall be filed by JANUARY 7, 2002.
3. Pretrial motions, other than discovery motions, shall be filed by FEBRUARY 14, 2002.
4. Plaintiffs shall submit their portion of the Pretrial Order to Defendant by FEBRUARY 19, 2002; Defendant shall submit the consolidated Pretrial Order to the Court by MARCH 1, 2002.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE